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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,506	06/29/2001	Charles B. Swope	CM03553J	7233

7590

01/06/2005

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EXAMINER

MASON, DONNA K

ART UNIT

PAPER NUMBER

2111

DATE MAILED: 01/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/895,506

Applicant(s)

SWOPE ET AL.

Examiner

Donna K. Mason

Art Unit

2111

-- **Th MAILING DATE of this communication appears on the cover sheet with the correspond nce address --**

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,6,7,9-12 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6,7,9-12 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 7, 9-12, and 14-16 are rejected under 35 U.S.C. 102(e) as being rejected by U.S. Patent No. 6,687,814 to Duppong.

With regard to independent claims 1, 7 and 12, Duppong discloses a re-configurable interface, and a method of reconfiguring an interface, used in modular electronic architectures including: a host (Fig. 1, item 10); at least one module (Fig. 1, item 20) for interfacing with the host to provide additional functionality to the host; and a configuration controller (Fig. 1, item 101; column 4, lines 6-13) located in the host for reading at least one memory device (Fig. 1, item 206; column 2, lines 61-66) located in the at least one module for providing configuration information to the host. Duppong also discloses configurable logic (Fig. 1, item 110; column 4, lines 46-51) operating with the configuration controller for configuring a host interface to operate with an at least one module interface; and a plurality of connector pins at the host and at least one module (Fig. 1, items 114 and 202) that are electrically configured using the configurable logic.

With regard to claims 2, 3, 6, 9-11, and 14-15, Duppong discloses a re-configurable interface, where the configuration controller self-extracts the configuration information from the at least one memory device after interfacing with the at least one module with the host (column 4, lines 6-13), and the re-configurable interface further including a dedicated serial interface (Fig. 1, items 116 and 204) for exchanging information from the at least one memory device to the configuration controller. Duppong also discloses the re-configurable interface, further including a microprocessor (Fig. 1, item 101) for communicating with the configuration controller.

Therefore, Duppong reads on the invention as claimed.

Response to Arguments

3. Applicant's arguments filed September 23, 2004 have been fully considered but they are not persuasive.

On page 5, Applicant argues Duppong does not teach "at least one module for interfacing with the host to provide *additional functionality* to the host" (emphasis added), as claimed. More specifically, Applicant argues that the module 20 is merely a bridging device between host 10 and electronic circuit 30, and host 10 will not take on any additional functionality without electronic circuit 30 (see Fig. 1 of Duppong).

Contrary to Applicant's arguments, the module 20 does provide additional functionality to the host 10. For example, as disclosed in column 3, lines 53-59, "[d]ata and one or more programs relating to the electronic circuit 30 prestored in flash

memory 206 are loaded into RAM 106 for use by the CPU 101.” As further described, the CPU 101 runs the programs transferred from flash memory 206, thereby providing additional functionality to the host 10.

Applicant's arguments that the invention, as claimed, is directed to a two-part system, and not a three-part system as disclosed in Duppong are irrelevant because module 20 and electronic circuit 30, when combined, provide one part, which also provides additional functionality to the host 10.

On pages 5-6, Applicant argues Duppong does not teach “the host having no prior configuration information pertaining to the at least one module,” as claimed. As disclosed in column 4, lines 6-13, Duppong teaches where the host 10 does not have prior configuration information. The flash memory 206 has the configuration information, which is loaded into RAM 106 of the host 10. In this way, the host 10 obtains the configuration information.

On page 6, Applicant argues Duppong does not teach “at least one memory device located in the at least one module for providing configuration information to the host,” as claimed. Duppong clearly teaches this limitation. As shown in Fig. 1, Duppong discloses at least one memory (item 206) located in the at least one module (item 20) for providing configuration information to the host (column 4, lines 6-13).

Applicant has not distinguished the claims over the prior art. Therefore, the Examiner cannot allow the claims.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

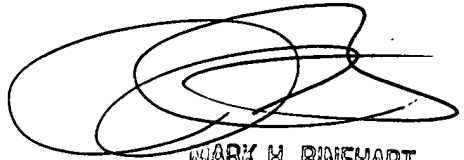
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donna K. Mason whose telephone number is (571) 272-3629. The examiner can normally be reached on Monday - Friday, 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DKM



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